

Exhibit A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

LANDSCAPE CONSULTANTS OF
TEXAS, INC., and METROPOLITAN
LANDSCAPE MANAGEMENT,
INC.,

Plaintiffs,

v.

CITY OF HOUSTON, TEXAS, and
MIDTOWN MANAGEMENT
DISTRICT,

Defendants.

Civil Action No. 4:23-cv-03516

DECLARATION OF CYLENTHIA HOYRD

1. My name is Cylenthia Hoyrd. I am over twenty-one (21) years of age, of sound mind, and have no disabilities that would prevent me from giving this declaration. All the matters contained in this declaration are true and correct and are based upon my own personal knowledge or knowledge I have obtained from others with personal knowledge of those matters.

2. I serve as the Director for the City of Houston's Office of Business Opportunity. In that capacity, I am familiar with the City's work in obtaining a new disparity study from the City's disparity study consultant, MTG Consulting (the "MGT Study"), and with the MGT Study itself.

3. The City received a draft of the MGT Study from MGT for the City's final review on May 7, 2024. Drafts of the MGT Study and portions of the MGT Study had been exchanged between the City and MGT prior to that date.

4. After receiving the May 7, 2024 draft, the City asked for and received non-substantive revisions to formatting, the high-earner analysis, and a section of the executive summary of the MGT Study pertaining to best practices. These non-substantive revisions were made by MGT without updating the May 7, 2024 date watermarked on the final draft.

5. The City originally planned to present the MGT Study to the City's Economic Development Committee (EDC) for approval and publication on the City's disparity study website, www.houstontxdisparitystudy.com, in July 2024. The EDC is the City Council committee to which my department, the Office of Business Opportunity (OBO), reports. OBO submits items on which it intends to request City Council to take action—like acceptance of the MGT Study—first to the EDC, and then to City Council based on the EDC's feedback and recommendations.

6. Before presentation to the EDC, the MGT Study was also submitted for review and approval to the Mayor's Office and the Chair of the EDC. The MGT Study was originally scheduled to be presented to the EDC, following review by the Mayor's Office and the EDC Chair, on July 17, 2024.

7. However, due to the 2024 Houston derecho¹ in mid-May, and Hurricane Beryl² in early July, and the ensuing disruption, delays, and reallocation of resources throughout the City to address these emergencies, the Administration required additional time to review the MGT Study, and the presentation to the EDC was rescheduled to August 21, 2024.

8. The EDC's August 21, 2024 meeting was cancelled due to the Democratic National Convention taking place from August 19 to August 22, 2024, and the presentation of the MGT Study was accordingly rescheduled to be presented at the EDC's October 16, 2024 meeting.

9. The EDC's October meeting was also cancelled. The MGT Study was ultimately presented to the EDC, following review by the Mayor's Office and the Chair of the EDC, at the EDC's November 20, 2024 public meeting.

10. On the same day, following the EDC meeting, the MGT Study was made available to the public for the first time and published in full on the City's disparity study website, www.houstontxdisparitystudy.com.

11. On its website, the City encourages businesses owners and stakeholders to review the study and submit comments and/or questions regarding the study's findings and recommendations.

¹ <https://www.houstonpublicmedia.org/articles/news/weather/2024/05/22/488092/what-is-a-derecho-houston-storm/>

² <https://www.climate.gov/news-features/event-tracker/category-5-hurricane-beryl-makes-explosive-start-2024-atlantic-season>

12. Since the dissemination of the MGT Study to the public on November 21, 2024, the City held a public meeting in December with stakeholders, interested parties, and members of the public to provide information and answer questions regarding the MGT Study.

13. Another public meeting is scheduled for January 14, 2025, at 2:00 pm CT via Zoom.

14. The MGT Study is currently anticipated to be submitted to City Council for adoption on or about February 12, 2025. City Council will be presented with an ordinance to accept the MGT Study's results. OBO will simultaneously present City Council with proposed changes to the MBE Program's ordinance, codified in Chapter 15 of the City of Houston Code of Ordinances.

15. My office, the Office of Business Opportunity (OBO), is currently revising its policies and procedures in light of the MGT Study's findings.

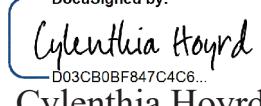
16. As a result of the MGT Study's findings, I anticipate that the City's MBE ordinance will change to expand the existing Small Business Enterprise (SBE) program, which is race- and gender-neutral across all procurement categories. In other words, the City will phase in the addition of SBE to other categories of City contracting in addition to construction (i.e., goods, professional services, and other services). A company qualifies for participation in the SBE program if it meets the definition of small business utilized by the federal Small Business Administration, which does not reference any race- or gender-based classifications. Going forward, a City contractor in any procurement category will be able to meet any contract goals stated for participation by minority-owned firms by contracting with small businesses.

17. In addition to the expansion of the existing SBE program into all areas of City contracting, I anticipate the removal of the cap on SBE participation in construction contracts and the addition of a Veteran-Owned small business (VOSB) category to the MWSBE program across all categories of City contracting.

18. OBO's internal policies and procedures are also in the process of being revised and updated to reflect the results of the disparity study and incorporate the requirements of the new ordinance.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 9th, 2025.

DocuSigned by:

Cylenthia Hoyrd
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Cylenthia Hoyrd